

MINUTES OF THE MEETING
OF THE CITY COUNCIL OF THE
CITY OF BURLINGTON
October 17, 2006
7:30 P.M.

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on October 17, 2006, at 7:30 p.m.

Mayor Stephen M. Ross presided

Councilmembers present: Mayor Ross, Councilmembers Jones, Huffman, Starling and Wall

Councilmembers absent: None

Harold Owen, City Manager, present

Robert M. Ward, City Attorney, present

Jondeen D. Terry, City Clerk, present

INVOCATION: Councilmember Don Starling

RECOGNITION: Vickie Saunders - State Victims' Advocate of the Year and Kenyon Harris - State Telecommunicator of the Year

MINUTES

Mayor Ross called for approval of the City Council work session minutes of the meeting of October 2, 2006 and the City Council meeting of October 3, 2006.

Upon motion by Councilmember Wall, seconded by Councilmember Starling, it was resolved unanimously to approve the minutes of the meetings held on October 2 and October 3, 2006.

ADD ON'S: CONSENT AGENDA: Budget Amendment 2007-17 - Printers
STAFF REPORT: Deputy Chief Kevin Crowder - Efforts on Gangs

ADOPTION OF AGENDA

Upon motion by Councilmember Huffman, seconded by Councilmember Jones, it was resolved unanimously to adopt the agenda with the add on's.

CONSENT AGENDA:

- A) To approve partner agreements between the City of Burlington and United Way of Alamance County for Burlington Senior Adult Leisure Services and Teen-to-Teen Theater.
- B) Budget Amendment 2007-13 - Human Resources - To dispose of hazardous materials from City properties.

BA2007-13

Increase Revenues:

045-39398-000	Appropriated Fund Balance	\$7,500
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Increase Expenditures:

045-60661-4500	Contracted Services	\$7,500
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- C) Budget Amendment 2007-14 - PTOG Grant - Senior Center Outreach Program

BA2007-14

Increase Revenues:

010-39398-0000	Appropriated Fund Balance	\$ 280
010-33400-3300	PTOG Grants	840

Increase Expenditures:

010-62626-3300	Departmental Supplies	\$1,120
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- D) Budget Amendment 2007-15 - PTOG Grant - Senior Center - General Purpose Funds

BA2007-15

Increase Revenues:

010-39398-0000	Appropriated Fund Balance	\$1,708
010-33400-6260	PTOG Grants	5,123

Increase Expenditures:

010-62626-3300	Departmental Supplies	\$6,831
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E) Budget Amendment 2007-16 - PTOG Grant - Agency on Aging - III-D
Disease/Health Promotions

BA2007-16

Increase Revenues:

010-39398-0000	Appropriated Fund Balance	\$ 222
010-33400-6260	PTOG Grants	\$2,000

Increase Expenditures:

010-62626-3300	Departmental Supplies	\$2,222
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F) Budget Amendment 2007-17 - Donation - Animal Services

BA2007-17

Increase Revenues:

010-33305-5220	Donations - Animal Shelter	\$1,182
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Increase Expenditures:

010-51522-3300	Departmental Supplies	\$1,182
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Upon motion by Councilmember Starling, seconded by Councilmember Wall, it was resolved unanimously to approve the foregoing consent agenda.

UNFINISHED BUSINESS:

ITEM 2: AMEND CONDITIONAL BUSINESS REZONING - BURLINGTON STATION
- SIGNAGE PACKAGE (continued from September 19 and October 3,
2006, City Council meetings)

Mayor Ross announced that the City Council would consider an application to amend a Conditional Business rezoning for Burlington Station previously approved November 1, 2005. The request, presented by Mr. Ryan Hughes with Collins/Goodman Development Company, was to approve a signage package that was not included in the initial rezoning request. The property is located on the southwest corner of Rural Retreat Road and University Drive as shown on Alamance County Tax Map 3-26-88. (Continued from the September 19 and October 3, 2006, City Council meetings.)

Mr. Charles Bateman, representing Collins/Goodman Development Company, stated that he had given Planning Director Bob Harkrader an amendment to the application for approval of three monument signs with dimensions and face characteristics of the signs. Mr. Bateman asked that Burlington Station be allowed 2,400 square feet of wall signage. Mr. Bateman stated that the number of signs had been reduced from five to three. He stated that one sign would be a large 16-foot high identifier type sign to be located in the middle of the project. Mr. Bateman stated that the other two signs would be double-faced with single tenants at 11 feet high including the base. Mr. Bateman asked the Council for its approval of the signage package and that Mr. Goodman was present to answer any questions.

Mayor Pro Tem Mark Jones asked Mr. Harkrader if the new plan and the limitations on 2400 square feet had been included in the ordinance.

Mr. Bateman stated that it was not in the site plan but was included in his letter.

Mr. Bob Harkrader stated that the limitations contained in written communication from Mr. Bateman would supersede the previous conditions.

Upon motion by Councilmember Huffman, seconded by Councilmember Starling, it was resolved unanimously to close the public hearing.

Councilmember Jones moved the adoption of the following ordinance which was to include the limitations of the October 10, 2006, letter from Mr. Bateman along with the new site plan:

06-46

ORDINANCE TO AMEND CONDITIONAL BUSINESS REZONING FOR BURLINGTON STATION TO INCLUDE SIGNAGE PACKAGE

BE IT ORDAINED by the City Council of the City of Burlington, North Carolina:

Section 1. That Collins/Goodman Development Company, LLC, has requested to amend a Conditional Business rezoning for Burlington Station approved by City Council November 1, 2005. The request is to approve a signage package that was not included on the initial rezoning application. The property is located on the southwest corner of University Drive and Rural Retreat Road as shown on Alamance County Tax Map 3-26-88.

Section 2. That the amendment to the Conditional Business rezoning is hereby authorized subject to the property complying with the following Development Conditions:

Development Conditions

1. Three monument signs shall be installed as shown on the submitted site plan.
2. Wall sign limitation for the development shall be 2,400 square feet.
3. All sign structure requirements other than the above shall adhere to Section 32.12:BB, Sign Requirements for B-2 General Business Districts, in the City of Burlington Zoning Ordinance.
4. All other Use and Development Conditions set forth in the Conditional Business rezoning for Burlington Station approved by the Burlington City Council on Nov. 1, 2005, shall remain in effect.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed including site plans and other submissions, unless subsequently changed or amended as provided for in the City of Burlington Zoning Ordinance.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in the City of Burlington Code of Ordinances and Zoning Ordinance.

Section 5. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall take effect upon passage.

The foregoing ordinance was seconded by Councilmember Huffman, and after full discussion, the same was voted upon and declared duly adopted, no amendments having been offered and consent having been given to place the same upon its immediate passage. Councilmembers voting in favor of the motion to adopt the foregoing ordinance were Ross, Jones, Huffman, Starling and Wall.

REQUEST AND COMMUNICATION:

Ms. Judy Crotts, Level Cross, North Carolina, addressed the City Council regarding the death of her brother, Pete Webster, on December 3, 2005, during a police pursuit by the Burlington Police Department. Ms. Crotts stated that after reviewing pursuit policies from Winston-Salem, Greensboro, Chapel-Hill, Durham and Burlington that Burlington seemed to be the least restrictive. Ms. Crotts asked that the current chase policy be reviewed and changed to better protect the public.

STAFF REPORT:

Deputy Chief Kevin Crowder gave a report on the Burlington Police Department's efforts to address gangs in Burlington. Deputy Chief Crowder stated that the department had been involved in identifying, investigating, and suppressing gang-related matters for over 2 ½ years. He stated that two criminal investigators that had other duties and responsibilities were conducting those efforts. The department applied for and received a grant-funded position for a full-time gang investigator. He said that over the past year, Detective Leslie Valencia had been assigned to that position and was currently involved in the training of departmental personnel on gangs, conducting awareness training for school administrators, parents and churches, conducting intelligence gatherings on gangs, working with other law enforcement professionals on curbing gang activity and actively investigating all gang-related criminal activity occurring in the City of Burlington.

Deputy Chief Crowder stated that the Police Department continued to work with the District Attorney's office and the judicial system to fast-track all gang-related offenses. The department participated in the Alamance County Gang Task Force and had established a gang information hotline to allow the community to report gang-related activities that include graffiti, crimes, and other information that can be utilized in gathering intelligence on gangs. He stated that the department had identified 16 gangs that range from organized groups with involvement in criminal activities to loosely affiliated gangs whose members are not well organized.

Detective Leslie Valencia stated that the Alamance County Gang Task Force unit was a group of individuals from the community and meet once a month at lunch. She stated that the

group develops ideas and strategies to work against graffiti and developed the graffiti hotline where citizens could call in and report graffiti if they were afraid to report it to the police. She stated that the group also works with area businesses to donate paint and supplies so the Department of Juvenile Justice would use juveniles who are on probation to go out and clean up graffiti.

Councilmember Wall asked how many officers would the City need to have a gang task force, and Detective Valencia stated that Burlington needed at least three officers including her.

Councilmember Huffman stated that the key would to have all officers cross-trained so that everyone would know what's going on and what to look for. He stated that training for the whole force would be more important than having one or two people involved.

Detective Valencia stated that training would be necessary and that when it came to gangs, it would always be changing and that with the newsletter that is being developed once a month, officers would be given a heads-up on which symbols and signs had changed, and new gang members.

Deputy Chief Crowder stated that it had been a policy to attempt to train people continuously and that the first-line officers are those who deal with individuals and crime scenes.

PUBLIC COMMENT PERIOD:

There were no public comments.

ADJOURN:

Upon motion by Councilmember Starling, seconded by Councilmember Jones, it was resolved unanimously to adjourn.

Jondeen D. Terry
City Clerk